

Reply of Government.—Was considered and found not practicable.

SUBJECT No. 54.

Succession certificates.

Messrs. S. Sitaramaiya, Shimoga Municipality; A. Ramanna, Yedatore taluk; C. Krishnamurti, Bangalore City Municipality; and V. Raghavachar, Mysore taluk.

Summary of discussion.—The present rule requiring the deposit of the full amount of the court fee in the case of succession certificates before the order for the grant of the certificate in any case is passed, works as a hardship when there are more parties than one claiming the certificate in one and the same case. The old rule requiring the payment of the fee only after the order for the grant of the certificate is passed may be revived.

Reply of Government.—A bill will be introduced to amend the Succession Act.

SUBJECT No. 55.

Civil Court Decrees.

Messrs. Subba Rao, Hole-Narsipur Municipality; and N. V. Narasimha Iyengar, Law Association, Bangalore.

Summary of discussion.—For the information of clients the amount remaining unexpended out of the sum paid by them towards batta and cost of unused stamps may be ordered to be noted in the decree of civil courts.

Mr. C. Krishnamurthi pointed out that the Government order of the 26th September 1911 requires that information as regards unexpended batta should be given but it is silent as regards unused stamps.

Reply of Government.—The matter will be considered again.

SUBJECT No. 56.

Extension of time for Civil Court cheques.

Mr. N. V. Narasimha Iyengar, Law Association, Bangalore.

Summary of discussion.—The time for the presentation of Civil Court cheques to the treasury for payment may be extended from three to seven days.

Reply of Government.—Will be done.

SUBJECT No. 57.

Administration of oaths by chief ministerial officers.

Messrs. N. V. Narasimha Iyengar, Law Association, Bangalore; C. Krishnamurti and D. Venkataramiah, Bangalore City Municipality; and B. Narasinga Rao, Seringapatam Municipality.

Summary of discussion.—It is requested that the chief ministerial officers of civil courts may be empowered to administer oaths when parties have to swear to affidavits, etc.

If affidavits have to be sworn to, the party has to go to the Munsiffs who have hardly any time to spare for this work. Sub-Registrars have been given this power and the Head Munshis may well be trusted to do this work.

Reply of Government.—The Chief Judge has no objection. Will be considered.

SUBJECT No. 58.

Grant of authenticated copies of depositions, etc.

Messrs. S. Sitaramaiya, Shimoga Municipality; C. Vaman Rao and Nadig Subba Rao, Nagar taluk.

Summary of discussion.—The prevailing practice of granting copies of depositions, etc., on three-pie paper and authenticating the same upon a fresh application is inconvenient when copies have to be filed in courts other than that granting them. This inconvenience may be removed by ordering the issue of authenticated copies, if required, without levying the necessary stamp fee so that the party to whom it is issued may, if he considers it necessary to produce them subsequently in any court, do so after affixing the necessary stamps thereto.

Reply of Government.—The distinction between authenticated and unauthenticated copies having been done away with by the copying rules recently issued, no separate application is necessary for authentication and there can really be no inconvenience of the nature complained of. The attention of the members is drawn to the new rules published by the Chief Court in Part II of the *Mysore Gazette* dated the 15th June 1911.

SUBJECT NO. 59.

Grant of copies of judgments.

Mr. K. Shankaranarayana Rao,
Nagar Sabha.

Summary of discussion.—The system of preparing copies of judgments and other documents on stamp papers as in the Madras Presidency may be introduced into the State as it does away with the anomalous difference between private and certified copies and the tedious process of counting words.

Reply of Government.—*Vide* reply to Subject No. 58 above. The present rule needs no modification.

SUBJECT NO. 60.

Copies of judgments in criminal courts.

Messrs. K. Shankaranarayana Rao,
Nagar Sabha; S. Sitaramaiya,
Shimoga Municipality, A. Raman-
na, Yedatore taluk; Hutchvire-
gowda, Gubbi taluk;
V. Raghavachar, Mysore taluk;
and D. Venkatramiah, Bangalore
City Municipality.

Summary of discussion.—A fee of eight annas only may be levied as stamp fee in the case of judgments of criminal courts as in the case of judgment of civil courts. The present rule requiring the payment of stamp fee of eight annas for every 360 words for judgments of criminal courts is a great hardship.

Reply of Government.—Steps will be taken to introduce a bill to amend the Court Fees Regulation.

SUBJECT NO. 61.

Court fee stamps for suits on inam lands not surveyed and settled.

Mr. M. K. Krishnamurti Rao,
Magadi taluk.

Summary of discussion.—If suits are filed in respect of inam lands not surveyed and settled, mentioning approximately the extent of area of the lands, the rates of assessment on the dry and wet lands may be ordered to be fixed and the court fees calculated at five times the amount of assessment.

Reply of Government.—Not possible.

SUBJECT NO. 62.

Orders on execution petitions to be in the handwriting of the Judge.

Mr. Sitaramaiya, Shimoga Municipality.

Summary of discussion.—It has been held by the majority of the High Courts that sales held inconsistent with the order of the Judge regarding the time and place of sale are void. The practice now in vogue in our courts is that a nemo regarding the time and place of sale is made by a clerk of the court and is simply initialled by the Judge. This procedure is open to objection as, owing to the influence of some of the parties concerned in some cases, the sales are not properly held and have to be set aside. It is therefore desirable to have such orders written by the Judge himself as the chances for malpractices will be fewer when the place of sale is decided by him personally.

Mr. Sitaramaiya cited an instance of the evil arising from the practice. The subject was discussed at some